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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/974,766	10/09/2001	Nick Steele	17331-0008	8246
20786	7590	02/04/2005	EXAMINER	
KING & SPALDING LLP 191 PEACHTREE STREET, N.E. ATLANTA, GA 30303-1763			CANGIALOSI, SALVATORE A	
		ART UNIT	PAPER NUMBER	
		3621		

DATE MAILED: 02/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/974,766	STEELE ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	Salvatore Cangialosi	3621

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 24 February 2003.

2a)  This action is **FINAL**.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4)  Claim(s) 1-55 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1-55 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 02/24/2003.  
4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date.       .  
5)  Notice of Informal Patent Application (PTO-152)  
6)  Other:       .

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1. The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

2. Claims 1-55 are rejected under 35 U.S.C. § 103 as being unpatentable Wu et al (5774551) in view of Fortenberry et al (6005939(cited by applicants)) alone or further in view of Chen et al (6154768).

Regarding claim 1, Wu et al (See Figs. 3-6, Col.3, line 68, Col. 10, lines 35-65, Col. 11, lines 1-45, claims 13 and 22) disclose method for authenticating a user employing a single sign on for a session including automatically managing other authentications on remote computers substantially as claimed. The differences between the above and the claimed invention is the use of specific account access over the Internet. It is noted that remote computer access is the functional equivalent of an offer. Otherwise resort can be had to Fig. 2a, 4 and 5 of

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Fortenberry et al, which show a single passport that enables authentication over the Internet. Chen et al (See Fig. 7, Col. 5, lines 60-65) show an automatic sign on for a server process. It would have been obvious to the person having ordinary skill in this art to provide a similar arrangement for Wu et al because the authentication elements are conventional functional equivalents. Regarding the medium limitations of claim 2, the use of the account management element 123 of Wu et al is a functional equivalent of the claimed limitations. Regarding automatic by pass limitations of claim 3, Chen et al (See Fig. 7, Col. 5, lines 60-65) show an automatic sign on for a server process which is a functional equivalent of the claimed limitations. Regarding the medium limitations of claim 4, the use of the account management element 123 of Wu et al is a functional equivalent of the claimed limitations. Regarding the validity of claim 5, Wu et al (See Figs. 3-6, Col.3, line 68, Col. 10, lines 35-65, Col. 11, lines 1-45, claims 13 and 22) disclose method for authenticating a user employing a single sign on for a session including automatically managing other authentications on remote computers which is a functional equivalent of the claimed limitations. Regarding expiration limitations of claim 6, the use of time (See Col. 13, lines 55-65) of Wu et al is a functional equivalent of the claimed limitations. Regarding time limitations of claim 7, the use of time (See Col. 13, lines 550-65) of Wu et al is a functional equivalent of the claimed limitations. Regarding

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browser limitations of claim 8, the use of client browser(Col. 9, lines 30-40) of Fortenberry et al is a functional equivalent of the claimed limitations because internet access normally includes browser. Regarding single limitations of claim 9, Wu et al (See Figs. 3-6, Col.3, line 68, Col. 10, lines 35-65, Col. 11, lines 1-45, claims 13 and 22) disclose method for authenticating a user employing a single sign on for a session including automatically managing other authentications on remote computers which is a functional equivalent of the claimed limitations because certificates normally include identification. Regarding database limitations of claim 10, the use of a database (See Col. 18, lines 5-10) of Wu et al is a functional equivalent of the claimed limitations because digital databases are normally employed in the storage of data. Regarding browser limitations of claim 11, the use of client browser(Col. 9, lines 30-40) of Fortenberry et al is a functional equivalent of the claimed limitations because internet access normally includes browser. Regarding configuration limitations of claim 12, Wu et al (See Figs. 3-6, Col.3, line 68, Col. 10, lines 35-65, Col. 11, lines 1-45, claims 13 and 22) disclose a method for authenticating a user employing a single sign on for a session including automatically managing other authentications on remote computers which is a functional equivalent of the claimed limitations. Regarding the script limitations of claim 13, Wu et al (See Figs. 3-6, Col.3, line 68, Col. 10, lines 35-65, Col. 11, lines 1-45, claims 13 and 22)

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disclose method for authenticating a user employing a single sign on for a session including automatically managing other authentications on remote computers which is a functional equivalent of the claimed limitations. Regarding the medium limitations of claim 14, the use of the account management element 123 of Wu et al is a functional equivalent of the claimed limitations. Regarding format limitations of claim 15, Wu et al (See Figs. 3-6, Col.3, line 68, Col. 10, lines 35-65, Col. 11, lines 1-45, claims 13 and 22) disclose a method for authenticating a user employing a single sign on for a session including automatically managing other authentications on remote computers which is a functional equivalent of the claimed limitations. Regarding network limitations of claim 16, the use of the account management element 123 of Wu et al is a functional equivalent of the claimed limitations. Regarding network limitations of claim 17, the use of the account management element 123 including a decision table of Wu et al is a functional equivalent of the claimed limitations. Regarding the medium limitations of claim 18, the use of the account management element 123 of Wu et al is a functional equivalent of the claimed limitations. Regarding table limitations of claim 19, the use of a database (See Col. 18, lines 5-10) of Wu et al is a functional equivalent of the claimed limitations because digital databases are a form of tables. Regarding the medium limitations of claim 20, the use of the account management element 123 of Wu et al is

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a functional equivalent of the claimed limitations. Regarding the automatic limitations of claim 21, the use of the automatic account management element 123 of Wu et al is a functional equivalent of the claimed limitations. Regarding claim 22, Wu et al (See Figs. 3-6, Col.3, line 68, Col. 10, lines 35-65, Col. 11, lines 1-45, claims 13 and 22) disclose method for authenticating a user employing a single sign on for a session including automatically managing other authentications on remote computers substantially as claimed. The differences between the above and the claimed invention is the use of specific account access over the Internet. It is noted that remote computer access is the functional equivalent of an offer. Otherwise resort can be had to Fig. 2a, 4 and 5 of Fortenberry et al, which show a single passport that enables authentication over the Internet. Chen et al (See Fig. 7, Col. 5, lines 60-65) show an automatic sign on for a server process. It would have been obvious to the person having ordinary skill in this art to provide a similar arrangement for Wu et al because the authentication elements are conventional functional equivalents. Regarding the medium limitations of claim 23, the use of the account management element 123 of Wu et al is a functional equivalent of the claimed limitations. Regarding browser limitations of claim 24, the use of client browser(Col. 9, lines 30-40) of Fortenberry et al is a functional equivalent of the claimed limitations because internet access normally includes browser. Regarding the host limitations

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of claim 25, Wu et al (See Figs. 3-6, Col.3, line 68, Col. 10, lines 35-65, Col. 11, lines 1-45, claims 13 and 22) disclose method for authenticating a user employing a single sign on for a session including automatically managing other authentications on remote computers which is a functional equivalent of the claimed limitations. Regarding the medium limitations of claim 26, the use of the account management element 123 of Wu et al is a functional equivalent of the claimed limitations. Regarding the automatic limitations of claim 27, Wu et al (See Figs. 3-6, Col.3, line 68, Col. 10, lines 35-65, Col. 11, lines 1-45, claims 13 and 22) disclose method for authenticating a user employing a single sign on for a session including automatically managing other authentications on remote computers which is a functional equivalent of the claimed limitations. Regarding the medium limitations of claim 28, the use of the account management element 123 of Wu et al is a functional equivalent of the claimed limitations. Regarding the automatic limitations of claims 29-30, Wu et al (See Figs. 3-6, Col.3, line 68, Col. 10, lines 35-65, Col. 11, lines 1-45, claims 13 and 22) disclose method for authenticating a user employing a single sign on for a session including automatically managing other authentications on remote computers which is a functional equivalent of the claimed limitations. Regarding time limitations of claims 31-34, the use of time (See Col. 13, lines 55-65) of Wu et al is a functional equivalent of the claimed limitations. Regarding claim 35, Wu et

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al (See Figs. 3-6, Col.3, line 68, Col. 10, lines 35-65, Col. 11, lines 1-45, claims 13 and 22) disclose a means for authenticating a user employing a single sign on for a session including automatically managing other authentications on remote computers substantially as claimed. The differences between the above and the claimed invention is the use of specific account access over the Internet. It is noted that remote computer access is the functional equivalent of an offer. Otherwise resort can be had to Fig. 2a, 4 and 5 of Fortenberry et al, which show a single passport that enables authentication over the Internet. Chen et al (See Fig. 7, Col. 5, lines 60-65) show an automatic sign on for a server process. It would have been obvious to the person having ordinary skill in this art to provide a similar arrangement for Wu et al because the authentication elements are conventional functional equivalents. Regarding automatic by pass limitations of claim 36, Chen et al (See Fig. 7, Col. 5, lines 60-65) show an automatic sign on for a server process which is a functional equivalent of the claimed limitations. Regarding event limitations of claims 37-40, the use of time (See Col. 13, lines 55-65) of Wu et al is a functional equivalent of the claimed limitations. Regarding browser limitations of claim 41, the use of client browser(Col. 9, lines 30-40) of Fortenberry et al is a functional equivalent of the claimed limitations because internet access normally includes browser. Regarding browser limitations of claim 42, the use of client browser(Col. 9, lines 30-40) of

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Fortenberry et al is a functional equivalent of the claimed limitations because internet access normally includes browser. Regarding format limitations of claim 43, Wu et al (See Figs. 3-6, Col.3, line 68, Col. 10, lines 35-65, Col. 11, lines 1-45, claims 13 and 22) disclose a means for authenticating a user employing a single sign on for a session including automatically managing other authentications on remote computers which is a functional equivalent of the claimed limitations. Regarding network limitations of claim 44, the use of the account management element 123 of Wu et al is a functional equivalent of the claimed limitations. Regarding network limitations of claim 45, the use of the account management element 123 including a decision table of Wu et al is a functional equivalent of the claimed limitations. Regarding table limitations of claim 46, the use of a database (See Col. 18, lines 5-10) of Wu et al is a functional equivalent of the claimed limitations because digital databases are a form of tables. Regarding claim 47, Wu et al (See Figs. 3-6, Col.3, line 68, Col. 10, lines 35-65, Col. 11, lines 1-45, claims 13 and 22) disclose means for authenticating a user employing a single sign on for a session including automatically managing other authentications on remote computers substantially as claimed. The differences between the above and the claimed invention is the use of specific account access over the Internet. It is noted that remote computer access is the functional equivalent of an offer. Otherwise resort can be had to

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Fig. 2a, 4 and 5 of Fortenberry et al, which show a single passport that enables authentication over the Internet. Chen et al (See Fig. 7, Col. 5, lines 60-65) show an automatic sign on for a server process. It would have been obvious to the person having ordinary skill in this art to provide a similar arrangement for Wu et al because the authentication elements are conventional functional equivalents. Regarding event or time limitations of claims 48-50, the use of time (See Col. 13, lines 55-65) of Wu et al is a functional equivalent of the claimed limitations. Regarding browser limitations of claim 51, the use of client browser (Col. 9, lines 30-40) of Fortenberry et al is a functional equivalent of the claimed limitations because internet access normally includes browser. Regarding signal limitations of claim 52, the use of the account management element 123 of Wu et al is a functional equivalent of the claimed limitations. Regarding signal limitations of claim 53, the use of the account management element 123 including a decision table of Wu et al is a functional equivalent of the claimed limitations. Regarding the selection limitations of claim 54, Wu et al (See Figs. 3-6, Col. 3, line 68, Col. 10, lines 35-65, Col. 11, lines 1-45, claims 13 and 22) disclose signals for authenticating a user employing a single sign on for a session including automatically managing other authentications on remote computers which is a functional equivalent of the claimed limitations. Regarding format limitations of claim 55, Wu et al (See Figs. 3-6, Col. 3, line 68,

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Col. 10, lines 35-65, Col. 11, lines 1-45, claims 13 and 22) disclose a signal for authenticating a user employing a single sign on for a session including automatically managing other authentications on remote computers which is a functional equivalent of the claimed limitations.

3. Claims 1-55 are rejected under 35 U.S.C. . 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Certain claims (1, 22, 35, and 47) contain the terms "can be...In or for" which are not positive limitations. (See *In re Collier*, 158 USPQ 266) It is not clear what is being claimed. The claims require only a possibility rather than an actual limitation. For example, anything is possible given sufficient time and resources. Claim 47 is alternative and thus indefinite. In addition claims 47-55 require a signal claim which does not appear to be proper absent some clarification which would clearly define the structures of the signal which would link same to the claims. Applicant is also requested to show how this transitory emanation is within the four statutory classes absent a predefined medium.

Any inquiry concerning this communication should be directed to Salvatore Cangialosi at telephone number (703) 305-1837. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell, can be reached at (703)

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305-9768.

**Any response to this action should be mailed to:**

Commissioner of Patent and Trademarks

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Hand delivered responses should be brought to Crystal Park  
V, 2451 Crystal Drive, Arlington, Virginia, Seventh  
Floor (Receptionist).

Any inquiry of a general nature or relating to the status of  
this application or proceeding should be directed to the  
Technology Center 3600 Customer Service Office whose telephone  
number is (703) **308-4177**.



SALVATORE CANGIALOS.  
PRIMARY EXAMINER  
ART UNIT 222